GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

CAF & CS Department -Public Servants - Allegation of Corruption against the AO-2 Sri P.JaganMohan Rao, formerly Civil Supplies Revenue Inspector, Tenali, Guntur District - Trapped on 13-12-1998 -Convicted by the Trial Court -Crl AppealNos.1454/2006 and 1440/2006 filed by the AOs 1 and 2 respectively in the A.P.High Court -Allowed – Setting aside the lower court orders - Further action dropped on AO2 –Reinstated into service – Regularisation of dismissal period - Orders - Issued.

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COSNUMER AFFAIRS FOOD & CIVIL SUPPLIES (CS.II) DEPARTMENT

G.O.Ms.No.22 **Dated:03.11.2023**

Read the following:

1. Judgment of Spl.Judge for SPE a ACB Cases, Vijayawada in C.C.No.8/2002,Dated : 10 .10. 2006 .
2. G.O.Ms.No.1939, Revenue (Vig.Vl)Department, Dt:29.12.2006.
3. G.O.Ms.No.559, Revenue (Vig.VI)Department, Dt:29.03.2008.
4. G.0.Ms.No.242, Revenue (Vig.VI)Department, Dt:13.04.2012.
5. Common order dt:15.03.2022 of the Hon'ble High Court of A.P in Cr.Appl.Nos.1440 and 1454 of 2006.
6. From the D.G., ACB, Lr.Rc.No.212/RCT-VGT/1998, DT:22.06.2022.
7. Representation dt:01.09.2022 of Sri P. Jagan Mohan Rao, formerly Civil Supplies Revenue Inspector, Tenali, Guntur District.
8. G.O.Ms.No.426, Revenue (Vig.III) Dept, Dt:14.09.2023
9. Memo.No.REV01-LANA0CCLV(ACBC)/2/2022-Vig.III(2)-3, dated 14.9.2023 of the Revenue(VIG.II) Dept.

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ORDER:

Whereas, it was brought to the notice of the Government that Sri P.Jagan Mohan Rao, while working as Civil Supplies Revenue Inspector, Tenali Division, Guntur District was trapped by the ACB on 13-12-1998 on the allegation of demand and acceptance of the bribe of Rs.6,000/- for not registering a case against complainant. The AO was convicted and sentenced to undergo rigorous imprisonment for a period of two years and also to pay fine of Rs. 5,000/- in default simple imprisonment for three months for the offense under Section 7 of Prevention of Corruption Act, 1988 and rigorous imprisonment for a period of two years and also to pay a fine of Rs. 5,000/- in default simple imprisonment for three months for the offense under section 13 (1) (d) read with section 13 (2) of Prevention of Corruption Act, 1988 read with section 34 IPC by the Court of Principal Special Judge for SPE and ACB cases, Vijayawada in CC No. 08/2002, dt: 10.10.2006. Therefore, he was dismissed from Government Service vide G.O.Ms.No.1939, Revenue (Vig.VI) Department dated: 29.12.2006. Aggrieved by the orders of dismissal, Sri P.Jagan Mohan Rao, formerly Civil Supplies Revenue Inspector, Tenali Division, Guntur District filed O.A. before Hon'ble APAT and Hon'ble APAT

(P.T.O)

has set aside the orders issued by the Revenue Department as the dismissal orders were not issued by the competent authority vide O.A.No. 88835/2011 dated: 20.01.2012. The Hon'ble APAT has also directed that this order not preclude the competent authority to issue the fresh orders of dismissal against the applicant as per rules.

2) As per the directions of Hon'ble APAT and as per rules under AP Civil Services (Classification, Control and Appeal) Order,1991,the Director of Civil Supplies being the appointing and disciplinary authority have issued orders dismissing Sri P.Jagan Mohan Rao from the Government Service vide CCS Proceedings No. 36/2012 in Ref.No. Admn.I (3)/728/1998 dated: 30.01.2012.

3) In the reference 5th read above, Hon'ble High Court of Andhra Pradesh has delivered the Common order Dt. 15-03-2022 in Crl. Appeal 1440 and 1454 of 2006 setting aside the orders of Spl. Judge for SPE & ACB cases, Vijayawada in the reference 1st read above and acquitted Sri P. Jagan Mohan Rao, formerly Civil Supplies Revenue Inspector, Tenali, Guntur District (AO2).The operative portion of the judgement is as follows:

> "Cr.A.No. 1454/2006 and Cr.A.No. 1440/2006 are allowed and the conviction and sentence recorded by the Special Judge for SPE & ACB Cases, Vijayawada in CC No. 08/2002 dated: 10.10.2006 is hereby set aside. The appellant / A.O.01 (Sri B.Venkateswara Rao formerly Spl.Dy.Tahsildar) in Cr.A.No. 1454/2006 and appellant/A.O2 (Sri.P.Jagan Mohan Rao formerly CSRI) in Cr.A.No.1440/2006 are acquitted of the offenses under sections 7and 13 (1) (d) read with Section 13 (2) of the Act and read with Section 34 IPC. Fine amount if any paid shall be refunded. Bail bonds shall stand cancelled".

4) In the reference 7th read above, Sri P.Jagan Mohan Rao, formerly Revenue Inspector, Tenali, Guntur District has requested to reinstate him into Government Service by restoring his position in Civil Supplies Department, Government of Andhra Pradesh as per the judgement dt:15.03.2022 of Hon'ble High Court of Andhra Pradesh.

5 The Revenue Department when consulted, with a request to intimate the status report on the request of DG ACB, they have stated that, it is decided to implement of the Common orders of the Hon'ble High Court of A.P in Crl.A.No.1454 of 2006 and Crl.A.No.1440 of 2006 setting aside the conviction and sentence recorded by the Spl.Judge for SPE & ACB in Crl. Appeal Nos.1454/2006 and 1440/2006 and accordingly, the Government have dropped further action against AO1 Sri Bandla Venkateswara Rao @ Venkateswarlu, formerly Enforcement D.T, Tenali (attained age of superannuation on 31.07.2017) in this matter. The Commissioner of Civil Supplies has been requested to drop further action against Sri P.Jagan Mohan Rao, formerly Civil Supplies Revenue Inspector, Tenali, Guntur District and to reinstate him into service in pursuance of the orders of Hon'ble High Court.

6) The date of retirement of Sri P. Jagan Mohan Rao, formerly Civil Supplies, Revenue Inspector, Tenali is 31-01-2029. Hence, his dismissal has to be

(contd...3)

reviewed and he may be reinstated into service. The period between the date of dismissal and date of reinstatement (30-01-2012 to till date) need to be regularized.

7) In the reference 8th read above, the Revenue department issued orders duly implementing the common orders dt:15.03.2022 of the Hon'ble High Court in Crl.Appeal Nos. 1454/2006 and 1440/2006 and to drop further action against AO1 Sri Bandla Venkateswara Rao @ Venkateswaralu, formerly Enforcement D.T, Tenali (attained age of superannuation on 31.07.2017) in this matter.

8) In the reference 9th read above, the Revenue Department has stated that the Commissioner of Civil Supplies, A.P Vijayawada, being the competent authority, was requested to drop further action against Sri P. Jagan Mohan Rao, formerly Civil Supplies Revenue Inspector, Tenali Guntur District and reinstate him into service in pursuance of the common orders dt:15.03.2022 of Hon'ble High Court in Crl.Appeal Nos.1454/2006 and 1440/2006.

9) Government after careful examination and taking into consideration of the orders of Revenue Department, it is decided to implement the orders of the Hon'ble High Court dated 15-03-2022 in Crl. Appeal No. 1454 and 1440 of 2006 as the Hon'ble High Court and to drop further action against Sri P.Jagan Mohan Rao, (A2) formerly Civil Supplies Revenue Inspector, Tenali, Guntur District and also to reinstate him into service. The period of dismissal i.e. from 30.1.2012 to the date on which the AO reports to duty upon receipt of orders of reinstatement, shall be treated as on Duty as all the proceedings are dropped.

10) The Commissioner of Civil Supplies., A.P., Vijayawada shall take further necessary action in the matter.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

H.ARUN KUMAR
EX-OFFICIO SECRETARY TO GOVERNMENT

To:
Sri P. Jagan Mohan Rao, formerly Revenue Inspector, Tenali, Guntur District
(Through the Commissioner of Civil Supplies., A.P Vijayawada)
The Commissioner of Civil Supplies., A.P., Vijayawada
The Collector a District Magistrate, Guntur
Copy to:
The OSD to Hon'ble Minister (CAF&CS) Department
The Director General, Anti Corruption Bureau, A.P Vijayawada,
The Secretary to Commissioner, A.P Vigilance Commissioner, Velagapudi, Amaravathi.
The Director of Treasuries and Accounts, Mangalagiri.
The Accountant General, A.P.Vijayawada.
C.No 1793291

// FORWARDED BY ORDER //

SECTION OFFICE